

JAN 28 2022

Planning & Building Services

January 26, 2022

RE: Case #R_2 019-0012 Notice of Public Hearing

Mendocino County Planning and Building Commission, and Board of Supervisors

We are -and remain- vehemently opposed to the continued rezoning requests submitted by Brandy Moulton to "Rezone to create a Cannabis Accommodation Combining District", and "suspend the Sunset Provision for Residential Districts to facilitate continued operation".

This has been an ongoing issue since 2018 when we voted a resounding **NO** to creating a Combined District in our residential neighborhood. Over the years following that resounding vote, we have written letters, attended meetings, and voiced our opinions at every turn. This has become a wearying struggle for 5 years now. It begs the question: when will it end?

As recently as one year ago, on May 18, 2021, we received a "Notice of Public Hearing from the County of Mendocino Department of Planning and Building Services" concerning the above Case #. We wrote letters in response, and on June 22, 2021, we received a letter that Ms Moulton had "withdrawn the application from consideration by the Mendocino County Planning Commission and Board of Supervisors". We later discovered that the application for the above Case #, was not so much withdrawn as it was invalid: Ms Moulton had initially failed to meet the required filing deadline (11/1/2019), neglected to sign the application, and did not pay the filing fee. We thought the issue was (finally) settled.

But here we are once again. With little to no notice, we received word that Ms Moulton had filed her request yet again on January 21, 2022. This latest filing will come before the Mendocino County Planning Commission on February 3rd. Very little notice indeed! I do not understand why the PBS office continues to entertain applications from Ms Moulton on this issue.

Not only are we vehemently opposed to the rezoning request submitted by Ms Moulton, we do not want to see the "Sunset Provision for Residential Districts" extended. We are zoned a Residential Neighborhood and wish to remain so. The Board of Supervisors has already extended the Sunset Provision by an 2 additional years to May of 2022. We want to see this date enforced, not extended.

As you know, we voted -overwhelmingly- against our neighborhood becoming a mixed use area. The vote was loud and clear: a resounding **NO!** A Sunset Provision was put in place. We do not want that Provision suspended, or extended. We do NOT want Rezoning of any kind.

Here are a few key points to consider:

- The Commercial Grows that exist in our neighborhood -both legal and illegal- were originally built before cannabis cultivation was legalized. The growers chose to hide their operations in our heavily forested neighborhood in order to evade detection by law enforcement. Their presence violates our zoning status. To gain legitimacy by asking to be "grandfathered in" now is simply wrong. Their existence was never sanctioned and is not welcomed here.
- Water is an ongoing issue of concern! In the last year alone, 3 of my closest neighbors have had their wells go dry. And, we are facing another year of serious drought. The high demand from Commercial Grows compromises the amount of water available to us for household use and for fire abatement. Ms Moulton is requesting that an additional 26 parcels be added to her rezoning request(s). This only adds to the problem. Our underground aquifers cannot -and should not be expected to- sustain commercial demand.

- The Commercial Grows in our neighborhood are easy to spot . They are housed in new, very large, barn-like buildings, surrounded by tall, 8 foot fences. Nearby PG&E power poles are boosted to accommodate excessive electrical use. In the beginning, we witness a constant parade of plumbing trucks arriving daily to set up extensive and complex watering systems. Please note that all the grows are Indoor Grows - artificially supplied with heat, light, and water. Because these massive Indoor Grows are not dependent on climate or the natural environment, there is no reason that they need to be housed in our neighborhood. They could just as easily thrive in an industrial park.They could -and should- be relocated. There is no reason they must stay where they are. Again, including additional parcels in a rezoning request further compromises our neighborhood and our natural resources.
- Not only has traffic increased dramatically, but the large number of strangers brought in to work the Grows has become quite troubling. There have been multiple neighborhood break-ins, and many neighbors have been forced to adopt extra security measures. There is an ongoing need to protect our residential properties from errant thieves who might mistake our homes and garages for a “Grow”. We are families. We purchased our homes in a Residentially Zoned neighborhood. We did not bargain for -and do not want- commercial use of any sort.

Case # R_2019-0012 asks to rezone 16 parcels.

Case # R_2019-0013 asks to rezone 10 parcels.

Additional points to consider:

- Spot Zoning is illegal in California. The parcel maps attached to both applications appear to be spot zones. There is no rhyme nor reason to the properties being targeted. In fact, many of the targeted property owners either oppose or were not aware that their parcels were being included in the rezoning request!
- There are unresolved Environmental Impact (CEQA) issues. The Initial Study for the Mitigated Negative Declaration did not address impacts to RR-2 zoning. Aesthetics, Groundwater Supply, and Noise need to be addressed. Further studies need to be conducted and findings need to be broadly shared. These unknowns have a direct impact on property values and the peace of mind of property owners.

In the fall of 2018, the County of Mendocino surveyed residents of several proposed Cannabis Combining Districts within the county. Residents could support by voting to “Opt-In” or oppose by voting to “Opt-Out”. **Ninety percent** of Mitchell Creek residents who responded **OPPOSED** the idea of establishing a Combining District by voting to **Opt-Out**. At every opportunity -and for 5 years now- our neighborhood has overwhelmingly said **NO**. We are still saying **NO**:

NO to rezoning.

NO to Commercial Grows in our neighborhood

NO to suspending the Sunset Provision for Residential Districts.

Sincerely submitted,

John and Linda Turner
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Cc: DanGjerde